PTO/SB/64 (08-03)

Approved for usethrough 07/31/2006. OMB 0651-0031

U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE

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# PETITION FOR REVIVAL OF AN APPLICATION FOR PATENT ABANDONED UNINTENTIONALLY UNDER 37 CFR 1.137(b)

Docket Number (Optional) 034942-000258

First named inventor:	Booth, Richard		14/			
Application No.: 10/037,870		Art Unit: 2681	#5			
Filed: 10/22/01		Examiner: Not Yet Assig	ned			
Title: Reduction Of Average-To-Minimum Power Ratio In Communications Signals						
Attention: Office of Pe Mail Stop Petition Commissioner for Pat P.O. Box 1450 Alexandria, VA 22313	rents	RECEI JAN 3 0				
FAX: (703) 308-6916		סמבופה סה מ	TTTIONS			
NOTE:	If information or assistance is need Petitions Information at (703) 305-	ded in completing this form, ple 9282.	ase contact			
The above-identified application became abandoned for failure to file a timely and proper reply to a notice or action by the United States Patent and Trademark Office. The date of abandonment is the day after the expiration date of the period set for reply in the Office notice or action plus any extensions of time actually obtained.						
: <b>A</b>	PPLICANT HEREBY PETITIONS FOR I	REVIVAL OF THIS APPLICATION	·			
NOTE: A gra (1) (2) (3)	entable petition requires the following Petition fee; Reply and/or issue fee; Terminal disclaimer with disclaim applications filed before June 8, Statement that the entire delay w	ner fee required for all utility a 1995; and for all design applica				
<ol> <li>Petition fee</li> <li>Small entity - fee \$65.00 (37 CFR 1.17(m)). Applicant claims small entity status. See 37 CFR 1.27.</li> </ol>						
Other than sma	all entity - fee \$ (37 CFR 1.17(	m))				
<ul> <li>2. Reply and/or fee</li> <li>A. The reply and/or fee to the above-noted Office action in the form of Notice to File Corrected Application Papers (identify type of reply):</li> <li>☑ has been filed previously on 7/10/02.</li> <li>☑ is enclosed herewith.</li> </ul>						
B. The issue fe						
	has been paid previously on					
☐ is enclos	sed herewith.					

#### [Page 1 of 2]

This collection of information is required by 37 CFR 1.137. Theinformation is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 1.0 hour to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the ChiefInformation Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Mail Stop Petition, Commissioner for Patents, P.O. Box1450, Alexandria, VA 22313-1450.

If you need assistance in completing the form, call 1-800-PTO-9199 and select option 2.

PTO/SB/64 (08-03)
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<ul> <li>☑ Since this utility/plant application was filed on or after June 8, 1995, no terminal disclaimer is required         □ A terminal disclaimer (and disclaimer fee (37 CFR 1.20(d)) of \$ for a small entity or \$ for than a small entity) disclaiming a period equivalent to the period of abandonment is enclosed herewith (see PTO/SB/63).     </li> <li>Statement. The entire delay in filing the required reply from the due date for the required reply until the file a grantable petition under 37 CFR 1.137(b) was unintentional. [NOTE: The United States Patent Trademark Office may require additional information if there is a question as to whether either abandonment or the delay in filing a petition under 37 CFR 1.137(b) was unintentional (MPEP 711. subsections (III)(C) and (D))].</li> <li>WARNING: Information on this form may become public. Credit card information should not included on this form. Provide credit card information and authorization on PTO-2038.</li> </ul>	other ing of and r the				
than a small entity) disclaiming a period equivalent to the period of abandonment is enclosed herewith (see PTO/SB/63).  4. Statement. The entire delay in filing the required reply from the due date for the required reply until the file a grantable petition under 37 CFR 1.137(b) was unintentional. [NOTE: The United States Paten Trademark Office may require additional information if there is a question as to whether either abandonment or the delay in filing a petition under 37 CFR 1.137(b) was unintentional (MPEP 711. subsections (III)(C) and (D))].  WARNING: Information on this form may become public. Credit card information should not included on this form. Provide credit card information and authorization on PTO-2038.	n ing of t and r the				
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included on this form. Provide credit card information and authorization on PTO-2038.	- (-/)				
	be				
January 21, 2004					
Date Signature					
Telephone Adrienne yeung					
Number: (408) 292-5800 Typed or printed name	Typed or printed name				
THELEN REID & PRIEST, LLP					
Address					
P.O. Box 640640					
San Jose, CA 95164-0640					
Enclosures:  Fee Payment Address					
☐ Copy of Reply dated 7/10/02					
☐ Terminal Disclaimer Form					
☐ Additional sheets containing statements establishing unintentional delay					
Other: Postcard 47 Formal Drawings (22 pages), Copy of Notice of Abandonment date     12/12/03	<u>d</u>				
CERTIFICATE OF MAILING OR TRANSMISSION [37 CFR 1.8(A)]	$\neg$				
I hereby certify that this correspondence is being:					
transmitted by facsimile on the date shown below to the Patent and Trademark Office at (703) 308-6916.					
January 23 2004 Signature Signature					
Date Ruth Rodriquez					
Typed or printed name of person signing certificate	ı				



### United States Patent and Trademark Office

UNITED STATES DEPARTMENT OF COMMERCE United States Patent and Trademark Office Address: COMMISSIONER FOR PATENTS P.O. Box 1450 Alexandria, Virginia 22313-1450 www.uspto.gov

ATTY. DOCKET NO./TITLE FIRST NAMED APPLICANT APPLICATION NUMBER FILING OR 371(C) DATE Richard W. D. Booth 034942-258 10/22/2001 10/037,870

Robert E. Krebs Thelen Reid & Priest LLP P.O. Box 640640 San Jose, CA 95164-0640 RECEIVED

JAN 3 0 2004

OFFICE OF PETITIONS

**CONFIRMATION NO. 4801** ABANDONMENT/TERMINATION **LETTER** 

\*OC00000011479839\*

Date Mailed: 12/12/2003

## NOTICE OF ABANDONMENT UNDER 37 CFR 1.53 (f) OR (g)

The above-identified application is abandoned for failure to timely or properly reply to the Notice to File Missing Parts (Notice) mailed on 03/15/2002.

· No reply was received.

A petition to the Commissioner under 37 CFR 1.137 may be filed requesting that the application be revived.

Under 37 CFR 1.137(a), a petition requesting the application be revived on the grounds of UNAVOIDABLE DELAY must be filed promptly after the applicant becomes aware of the abandonment and such petition must be accompanied by: (1) an adequate showing of the cause of unavoidable delay; (2) the required reply to the aboveidentified Notice; (3) the petition fee set forth in 37 CFR 1.17(I); and (4) a terminal disclaimer if required by 37 CFR 1.137(d).

Under 37 CFR 1.137(b), a petition requesting the application be revived on the grounds of UNINTENTIONAL DELAY must be filed promptly after applicant becomes aware of the abandonment and such petition must be accompanied by: (1) a statement that the entire delay was unintentional; (2) the required reply to the aboveidentified Notice; (3) the petition fee set forth in 37 CFR 1.17(m); and (4) a terminal disclaimer if required by 37 CFR 1.137(d).

Any questions concerning petitions to revive should be directed to the "Office of Petitions" at (703) 305-9282. Petitions should be mailed to: Mail Stop Petitions, Commissioner for Patents, P.O. Box 1450, Alexandria VA 22313-1450.

A copy of this notice MUST be returned with the reply.

Initial Patent Examination Division (703) 308-1202

PART 2 - COPY TO BE RETURNED WITH RESPONSE



### United States Patent and Trademark Office

COMMISSIONER FOR PATENTS
UNITED STATES PATENT AND TRADEMARK OFFICE

ICSOS .O.C. NOTONIHRAW VOB.OTQRU.WWW

APPLICATION NUMBER

FILING/RECEIPT DATE

FIRST NAMED APPLICANT

ATTORNEY DOCKET NUMBER

10/037,870

10/22/2001

Richard W. D. Booth

111022NLF.US

30233 TROPIAN INC. 20813 STEVENS CREEK BLVD. CUPERTINO, CA 95014 CONFIRMATION NO. 4801
FORMALITIES LETTER

\*\*OC000000007652939\*\*

Date Mailed: 03/15/2002

## NOTICE TO FILE CORRECTED APPLICATION PAPERS

### Filing Date Granted

This application has been accorded an Application Number and Filing Date. The application, however, is informal since it does not comply with the regulations for the reason(s) indicated below. Applicant is given **TWO MONTHS** from the date of this Notice within which to correct the informalities indicated below. Extensions of time may be obtained by filing a petition accompanied by the extension fee under the provisions of 37 CFR 1.136(a)

The required item(s) identified below must be timely submitted to avoid abandonment:

- A substitute specification in compliance with 37 CFR 1.52 because:
  - Line spacing on the specification, claims, or abstract is not 1-1/2 or double spaced (See 37 CFR 1.52(b)).
- An abstract was not provided for this application. An abstract of the technical disclosure is required under 37 CFR 1.72(b).

A copy of this notice MUST be returned with the reply.

Customer Service Center

Initial Patent Examination Division (703) 308-1202

PART 2 - COPY TO BE RETURNED WITH RESPONSE

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PTO/SB/21 (6-98)

Under the Paperwork Reduction Act valid OMB control number.	ct of 1995, no perso	Patent and Trademark Officens are required to respond to a co	28: U.S. DEPARTMENT OF COMMERCE collection of information unless it displays a			
		Application Number	10/037,870			
TRANSMITTAL		Filing Date	10/22/01			
FORM		First Named Inventor	воотн			
(to be used for all correspondence after	er initial filing)	Group Art Unit				
		Examiner Name				
Total Number of Pages in This Submi	ssion	Attorney Docket Number	111022NLF.US			
	ENCLOS	URES (check all that appl	(y)			
Fee Transmittal Form		ent Papers pplication)	After Allowance Communication to Group			
Fee Attached	<b>▶</b> Drawing	(s)	Appeal Communication to Board of Appeals and Interferences			
Amendment / Response	Licensing	g-related Papers	Appeal Communication to Group (Appeal Notice, Brief, Reply Brief)			
After Final	Petition F and Acco	Routing Slip (PTO/SB/69) ompanying Petition	Proprietary Information			
Affidavits/declaration(s)	1 1	o Convert to a	Status Letter			
Extension of Time Request	Power of	Attorney, Revocation of Correspondence	Additional Enclosure(s) (please identify below):			
Express Abandonment Request		Disclaimer				
Information Disclosure Statement	Small Entity Statement  Request for Refund					
Certified Copy of Priority						
Document(s)  Response to Missing Parts/	Remarks		RECEIVED			
Incomplete Application		JAN 3 0 2004				
Response to Missing Parts under 37 CFR		JAN 3 0 2004				
1.52 or 1.53			OFFICE OF PETMONS			
SIGNATUR	E OF APPLICA	ANT, ATTORNEY, OR AG	SENT			
Firm or Individual name						
Signature Michael Mas						
Date 7/10/02						
	CERTIFICATE OF MAILING					
I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail in an envelope addressed to: Assistant Commissioner for Patents, Washington, D.C. 20231 on this date: 7/10/02						
Typed or printed name Michael J. Ure						
Signature MALLING	dalla	a Date	7/10/02			

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PTO/SB/17 (09-00)
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# **FEE TRANSMITTAL** for FY 2001

Patent fees are subject to annual revision.

TOTAL	<b>AMOUNT</b>	OF PA	YMENI

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C	omplete if Known
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Filing Date	10/22/01
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Examiner Name	
Group Art Unit	
Attorney Docket No.	111022NLF.US

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SUBTOTAL (1) (\$)	141 1,24	40 241	620	Petition to revive -	unintentional	1	
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**or number previously paid, if greater; For Reissues, see above *Reduced by Basic Filing Fee Paid *SUBTOTAL (3) (\$)							
SUBMITTED BY					Complete (#	applicable)	
Name (Print/Type) Michael J. Ure		istration No mey/Agent)	· [	33,089	Telephone	(408) 865-	1300
Signature Y/h. 18/1		The state of the s	<b>—</b>		Date	7/10/02	

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JAN 2 6 2004 CA

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PETITION FOR EXTENSION OF TIME UNDER 37 CFR 1.136			37 CFR 1 136(a)	Docket Number (Optional)		
• = • • • •		111022NLF.US				
		In re Application	BOOTH			
		Application Num	nber 10/037,870	Filed 10/22/01		
For Reduction of average-to-minimum power ratio in						
		Group Art Unit	Examiner			
This is a respo	a request under the prov onse in the above identifi	visions of 37 CF fled application.	R 1.136(a) to exte	end the period for filing		
The req	quested extension and a time period desired):	ippropriate non-	small-entity fee are	e as follows		
	One month (37 CFR	1.17(a)(1))		\$		
	Two months (37 CFR	≀ 1.17(a)(2))		<b>\$_400</b>		
	Three months (37 CF	R 1.17(a)(3))		\$		
	Four months (37 CFR	₹ 1.17(a)(4))		\$		
	Five months (37 CFR	1.17 (a)(5))		\$		
•	Applicant is a small entity under 37 CFR 1.9 and 1.27, therefore the fee amount shown above is reduced by one-half, and the resulting fee is: \$200 A small entity statement under 37 CFR 1.27:					
	is enclosed.					
	has already be	een filed in this a	application.			
	A check in the amount	it of the fee is en	ıclosed.			
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I am the	e assignee of recor		•			
	applicant.					
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#### What is claimed is:

1. A method of altering a communications signal to reduce an average-to-minimum power ratio thereof, the communications signal being formed using pulse-shaping techniques applied to instances of a pulse of a given form, the method comprising, for at least one signal component:

setting a desired signal minimum;

identifying a time instant in the vicinity of which the signal is likely to fall below the desired signal minimum;

using a mathematical model of the communications signal in a time interval said time instant, determining a minimum of the communications signal during said time interval;

determining a measure of at least one of magnitude and phase of the communications signal corresponding to the minimum of the communications signal during said time interval; and

if said minimum of the communications signal is less than a desired signal minimum:

in accordance with said one of magnitude and phase, forming a scaled corrective pulse; and

adding to the signal component the scaled corrective pulse, in timed relation to the signal, to form a modified communications signal having a reduced average-to-minimum power ratio.

- 2. The method of Claim 1, comprising repeating said identifying, determining, forming and adding steps to form from the modified communications signal a further modified communications signal.
- 3. The method of Claim 1, comprising determining a measure of both magnitude and phase of the communications signal at said approximate time instant.
  - 4. The method of Claim 3, comprising:

calculating values of the communication signal at a small number of points near said approximate time instant; and

fitting a mathematical function to the values.

- 5. The method of Claim 4, wherein the communications signal is represented within a signal plane having an origin denoting a signal of zero magnitude, and determining a measure of magnitude comprises determining within the signal plane a point of intersection between said function and an intersecting line that bears a predetermined relationship to the function and that includes the origin.
- 6. The method of Claim 5, wherein the small number of points is two, and the mathematical function is a spanning line that spans a distance between the two points..
- 7. The method of Claim 6, comprising determining a value representing a straight-line distance between said points.
- 8. The method of Claim 7, wherein the value representing the straight-line distance value is computed using a function.
- 9. The method of Claim 7, wherein the value 1 is used to represent the straightline distance value.
- 10. The method of Claim 7, wherein the measure of the phase of the communications signal at the approximate time instant is represented by a trigonometric function of the phase.
- 11. The method of Claim 10, wherein the trigonometric function is computed using said straight-line distance value.
- 12. The method of Claim 11, wherein the trigonometric function is approximated by:

performing multiple comparison operations; and based on results of the comparison operations, selecting one of multiple pre-stored values.

- 13. The method of Claim 12, comprising deriving from said points a line segment lying within a first quadrant of the signal plane, wherein the comparison operations compare a slope of the line segment with multiple predetermined slopes.
- 14. The method of Claim 12, comprising deriving from said points a line segment lying within a first quadrant of the signal plane, wherein the comparison operations comprise applying successive rotations to the line segment and, after each rotation, applying a binary criterion to a location of the line segment in the complex plane.
- 15. A method of altering a communications signal to reduce a average- to-minimum power ratio thereof, the communications signal being represented in polar form having a magnitude component and a phase-related component, the method comprising, for at least one signal component:

setting a desired signal minimum;

identifying a time instant at which the signal falls below the desired signal minimum; and

adding to the signal component a corrective pulse, in timed relation to the signal, to formed a modified communications signal having a reduced average-to-minimum power ratio.

- 16. The method of Claim 15, wherein phase is the phase-related component, comprising, during a time interval in which the phase of the communications signal changes from a first value to a second value, interpolating between actual phase values and a line extending between the first value and the second value.
- 17. The method of Claim 15, wherein the signal component is phase-related, comprising:

adding to the signal component two corrective pulses that together have a negligible effect on the signal component outside a limited period of time.

18. A method of altering a communications signal to reduce a average- tominimum power ratio thereof, comprising:

performing conditioning of the communications signal in a first domain to form a modified communications signal; and

performing conditioning of the modified communications signal in a second domain to form a further modified communications signal;

wherein the first domain is one of a quadrature domain and a polar domain, and the second domain is a different one of the quadrature domain and the polar domain.

- 19. The method of Claim 6, wherein the intersecting line is orthogonal to the spanning line.
- 20. The method of Claim 6, wherein the communications signal is formed in accordance with a signal constellation in which at least two signal points are located at different distances from the origin in the complex plane, and wherein identifying a time instant in the vicinity of which the signal is likely to fall below the desired signal minimum comprises:

dividing a straight-line distance along a transition line between two constellation points into two ratioed portions based on a point of intersection of the transition line with a normal passing through the origin.

# ABSTRACT OF THE DISCLOSURE

This invention, generally speaking, modifies pulse amplitude modulated signals to reduce the ratio of average power to minimum power. The signal is modified in such a manner that the signal quality remains acceptable. The signal quality is described in terms of the Power Spectral Density (PSD) and the Error Vector Magnitude (EVM).



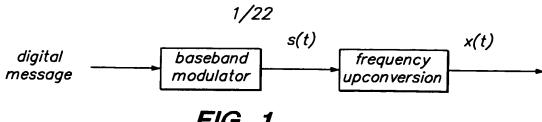


FIG. 1

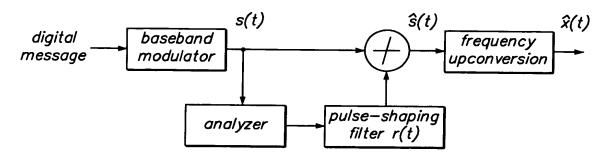


FIG. 2A

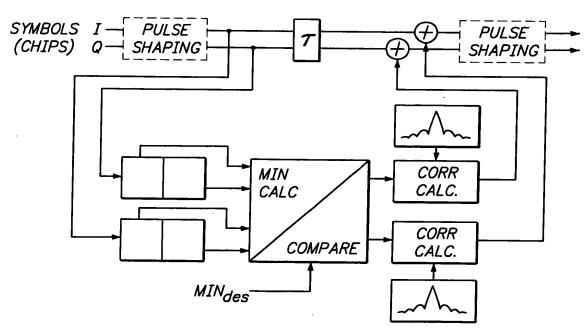


FIG. 2B